

**28 March 2019**

## **MEDIA RELEASE**

### **Independent Review shows Attorney-General must urgently support Aboriginal and Torres Strait Islander Legal Services to end over-incarceration and legal injustices**

The National Peak Body for Aboriginal and Torres Strait Islander Legal Services (**NATSILS**) urges the Attorney-General to take immediate action on the findings of the Government's [Independent Review into the Indigenous Legal Assistance Programme \(ILAP\)](#). NATSILS welcomes the report and is calling for the Government to overturn impending \$10 million in cuts from next year and urgently inject funds to end mass incarceration and legal injustices including housing and child protection.

"We urge the Attorney-General to honour the Government's promise to [treat us as equal partners on Closing the Gap](#), which means supporting our services. Aboriginal and Torres Strait Islander people are the most incarcerated peoples in the world - these \$10 million cuts will devastate our communities," said Cheryl Axleby, co-chair of NATSILS.

"These brutal cuts will accelerate the number of Aboriginal and Torres Strait Islander women, children and men in prisons and the broader justice system, as well as numbers of deaths in custody," said Cheryl Axleby, co-chair of NATSILS. "ATSILS represent families at death in custody inquests and run life-saving [Custody Notification Services](#)."

The Independent Review has recommended that the Attorney-General maintains the standalone ILAP. The program aims to end the disadvantage of Aboriginal and Torres Strait Islander people in the justice system. ILAP funds all Aboriginal and Torres Strait Islander Legal Services (**ATSILS**) and NATSILS.

"The Attorney General must urgently implement the recommendations of the review, which found a very high level of support for ILAP to continue, as a standalone program administered by the Commonwealth, and that directly funds ATSILS and NATSILS with transparency and certainty," said Ms Axleby.

"ATSILS challenge racist and discriminatory laws, we hold police accountable and help victims of crime. We prevent child removals and have unique preventative and wraparound supports. In some remote places, we are the only legal service, because we are committed to our communities. The Review has emphasised the urgent need to address soaring over-incarceration rates, and that we are best placed to do this."

The ILAP Review Report contains powerful evidence of the effectiveness and impact of ATSILS and NATSILS for Aboriginal and Torres Strait Islander communities. The Review found:

- ATSILS' services are cost effective, high quality, culturally appropriate and accessible;
- ATSILS are recognised as trusted Aboriginal and Torres Strait community controlled organisations and peak bodies who advocate for Aboriginal and Torres Strait Islander justice issues and the Aboriginal and Torres Strait Islander community generally;
- Cultural safety and the principles of Aboriginal and Torres Strait Islander community control are embedded in ATSILS' governance, board structures, strategies, staff employment practices, interagency collaboration, service planning and service delivery approaches;
- ATSILS are implementing a diverse range of programs which aim to prevent future legal assistance need, including programs to prevent or reduce future offending;
- At some bush courts and remote circuits, ATSILS are the only legal service available;
- NATSILS plays an effective role as a peak body.

“But without more funding, we can only cover basic urgent cases rather than doing the preventative, holistic work, advocacy, civil and family law work, we need to do to keep our people out of the justice system forever.”

The ILAP Review has been released alongside a [Review of the National Partnership Agreement into Legal Assistance Services](#) (NPA), which funds Legal Aid Commissions and Community Legal Centres.

“We welcome the NPA Review recommendations regarding long term certainty of base funding, and support for services and peak bodies to participate in collaborative planning. Going forward there needs to be a co-designed implementation plan for the ILAP and NPA Reviews with clear accountability for governments.”

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END OF RELEASE

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Background:

Information on the ILAP and NPA Reviews can be found [here](#).

NATSILS submission to the Review can be found [here](#).

NACLC submissions to the NPA Review can be found [here](#) and [here](#).